



General Assembly

January Session, 2007

Raised Bill No. 1306

LCO No. 4716

04716_____GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING ORGANIZED RETAIL THEFT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this
2 section:

3 (1) "Retail property" means any new article, product, commodity,
4 item or component intended to be sold in retail commerce;

5 (2) "Value" means the retail value of an item as advertised by the
6 affected retail establishment, to include applicable taxes; and

7 (3) "Retail property fence" means a person or business that buys
8 retail property knowing that the property is stolen.

9 (b) Any person who, with the intent of monetary gain, in
10 conjunction with another person and within a one-hundred-eighty-day
11 period, takes possession of, carries away, transfers or causes retail
12 property having a value exceeding one thousand dollars to be carried
13 away or takes or causes such property having a value exceeding one
14 thousand dollars to be moved to or placed in the control of a retail

15 property fence shall have committed the offense of organized retail
16 theft.

17 (c) Any person who receives, possesses, conceals, stores, barter,
18 sells, or disposes of any retail property acquired in violation of
19 subsection (b) of this section, with the intent to distribute the proceeds
20 or otherwise promote, manage, carry on or facilitate a violation of said
21 subsection shall have committed the offense of accessory to organized
22 retail theft.

23 (d) It shall not be a defense to a charge of accessory to organized
24 retail theft in violation of subsection (c) of this section that the retail
25 property was obtained by means other than through a violation of said
26 subsection if the property was explicitly represented to the person
27 charged under said subsection (c) as being obtained through the
28 commission of organized retail theft.

29 (e) Any person who violates subsection (b) of this section shall be
30 guilty of a class A misdemeanor, except that, if such person derives a
31 financial benefit of five thousand dollars or more as a result of such
32 violation, such person shall be guilty of a class D felony.

33 (f) Any person who violates subsection (c) of this section shall be
34 guilty of a class B misdemeanor, except that, if such person derives a
35 financial benefit of five thousand dollars or more as a result of such
36 violation, such person shall be guilty of a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

Statement of Purpose:

To protect retail establishments and consumers from overhead and price increases due to organized retail theft.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]